

Entered 02-13-02 - sb
CL 02L0128 - GWENDOLYN BURNS

02-R -0995

CLAIM OF: DEBORAH V. DRISKELL
2893 Lookout Place, NE
Atlanta, Georgia 30305

For property damages alleged to have been
sustained from a sewer backup on December 11,
2001 at 2893 Lookout Place, NE.

THIS ADVERSED REPORT IS
APPROVED

BY:


ROBERT N. GODFREY
DEPUTY CITY ATTORNEY

ADVERSE REPORT

COMM: Public Safety

DATE: 6/14/02

CHAIR: [Signature]

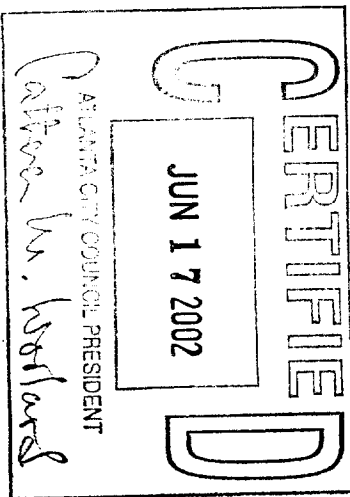
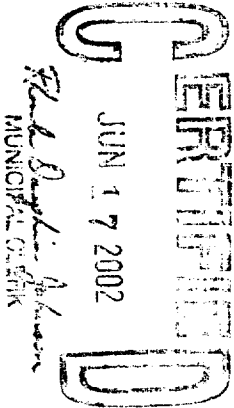
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ADVERSED BY
CITY COUNCIL JUN 17 2002





OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

June 28, 2002

Deborah V. Driskell
2893 Lookout Place, NE
Atlanta, GA 30305

02-R-0995

Dear Ms. Driskell:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on June 17, 2002. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Sincerely,
Rhonda Dauphin Johnson

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0128

Date: May 24, 2002

Claimant /Victim DEBORAH DRISKELL
BY: (Atty) (Ins. Co.) _____
Address: 2893 Lookout Place, NE, Atlanta, Georgia 30305
Subrogation: _____ Claim for Property damage \$ unspecified Bodily Injury \$ _____
Date of Notice: 02/01/02 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 12/11/01 Place: 2893 Lookout Place, NE
Department PUBLIC WORKS Division _____ Sewer Operations _____
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant alleges that she sustained property damage to her home from a sanitary sewer back up. However, an investigation determined that the City did not have notice of a problem at this location prior to the date of claimant's incident.

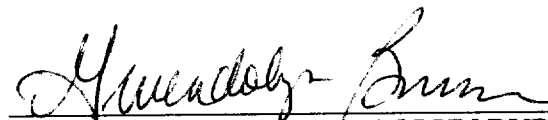
INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____
Pictures _____ Diagrams _____ Reports: Police _____ Dept Report X Other _____
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

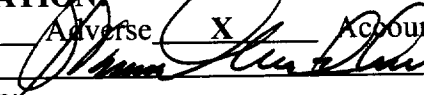
BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable _____
City not involved _____ Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2P01 _____ 2H01 _____
Claims Manager:  Concur/date 05-28-02
Committee Action: _____ Council Action _____

RCS# 3806
6/17/02
2:59 PM

Atlanta City Council

Regular Session

CONSENT I Pgs. 1-11: Except Certain City Utility
 Items
 ADOPT

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

Y Smith	Y Archibong	Y Moore	Y Mitchell	<u>ITEM (S) REMOVED FROM CONSENT AGENDA</u>
Y Starnes	Y Fauver	Y Martin	Y Norwood	
Y Young	Y Shook	Y Maddox	Y Willis	
Y Winslow	Y Muller	Y Boazman	NV Woolard	
				02-O-0164 02-R-1009
				02-O-0901 02-R-1010
				02-R-0972 02-R-1011
				02-R-1004 02-R-1012
				02-R-1005 02-R-1023
				02-R-1006 02-R-1024
				02-R-1007 02-R-1025
				02-R-1008 02-R-1026
				02-R-1071

CONSENT I

06/17/02 Council Meeting

**ITEMS ADOPTED ON
CONSENT AGENDA**

1. 02-O-0973
2. 02-O-1036
3. 02-O-0908
4. 02-O-0909
5. 02-O-0956
6. 02-O-1029
7. 02-O-1043
8. 02-R-1000
9. 02-R-1001
10. 02-R-1002
11. 02-R-1003
12. 02-R-1016
13. 02-R-1033
14. 02-R-0676
15. 02-R-1018
16. 02-R-1019
17. 02-R-1069
18. 02-R-1070
19. 02-R-1030
20. 02-R-0978
21. 02-R-0979
22. 02-R-0980
23. 02-R-0981
24. 02-R-0982
25. 02-R-0983
26. 02-R-0984
27. 02-R-0985
28. 02-R-0986

**ITEMS ADVERSED ON
CONSENT AGENDA**

29. 02-R-0987
30. 02-R-0988
31. 02-R-0989
32. 02-R-0990
33. 02-R-0991
34. 02-R-0992
35. 02-R-0993
36. 02-R-0994
37. 02-R-0995
38. 02-R-0996
39. 02-R-0997
40. 02-R-0998
41. 02-R-0999